



STATE OF HAWAI'I
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAII 96801-3378
September 30, 2009

In reply, please refer to:
File: EHA/HEER Office
2009-639-ES

(b) (6)

Environmental Business Line Coordinator
Naval Facilities Engineering Command, Hawai'i (EV)
400 Marshall Road
Pearl Harbor, Hawai'i 96860-3139

Facility/Site: Marines MFH MCBH Pa Honua III
Subject: Management of pesticide-impacted soils at Marines MFH MCBH Pa Honua III

Dear (b) (6):

In our 7/13/2009 letter on the management of pesticide-impacted (PI) soils at MCBH Kaneohe Bay, particularly at the Pa Honua III housing site (latitude 21.443°, longitude -157.741°), we requested that you provide: the final remediation report describing the investigation, risk assessment conclusions, remedy selection and implementation for management of PI soils at the Pa Honua III site; information on PI soil management procedures used during housing construction on site; information on land use controls that have been implemented to ensure the long-term effectiveness of the containment-based on-site remedy; and information on the management of PI soils at other MCBH housing sites as well.

In your 7/30/2009 response to us, you provided a Phase I ESA and a Phase II ESA (both by Parsons, dated 10/1/2007) addressing the current hazards posed to Pa Honua III residents by exposure to surface soils, but not any of our other questions. You stated that you would provide the remaining information to us by 8/15/2009. To date, we have received no additional information. We therefore repeat our 7/13/2009 request for additional information on the Pa Honua III site, as well as other MCBH housing sites. In addition, we have reviewed the Pa Honua III ESAs and offer the attached comments. We request delivery within seven days of all necessary documents to respond to the questions in this letter.

Finally, we note that your statement that "*the application of [...] chlordane [...] does not constitute a spill, release or accidental discharge under CERCLA*" is inaccurate. The FIFRA exception modifies CERCLA §103 (notification) and CERCLA §107 (liability); however, it does not modify CERCLA §101 (definitions) where the terms "hazardous substance" and "release" are defined. DoD's duty to respond to hazardous substance releases under CERCLA §104, as per Executive Order 12580, is therefore unaltered by the FIFRA exception.

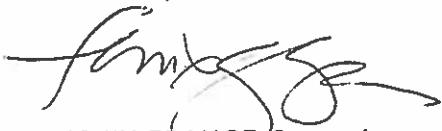
(b) (6) [REDACTED]

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Thank you for your attention and cooperation. We look forward to receiving the information requested. Should you have any questions regarding this letter, please contact me at (808) 586-4249.

Sincerely,



FENIX GRANGE, Supervisor
Site Discovery, Assessment, & Remediation Section
Office of Hazard Evaluation and Emergency Response

Att: HDOH letter, "Pesticide-impacted soil management at MCBH housing sites", 7/13/2009

c: (b) (6) [REDACTED], PPV Business Agreements Manager, NAVFAC Pacific

HDOH Review: 30 September 2009
*Phase I Environmental Site Assessment, Pa Honua 3 Family Housing Area and Pa Honua South Recreation Area,
 Marine Corps Base Hawaii, Kaneohe Bay (Parsons, 10/1/2007)*

Reviewer: Eric Sadoyama

Item	Page	Section	Comment
1.		1, 7, 9	In support of our comment in the cover letter regarding the hazardous substance release status of the use of chlordane and other termiticides at Pa Honua III and similar sites, we note that Parsons states that they consider pesticide in soil at the site to be a recognized environmental condition (REC) under the ASTM ESA standard.
2.	5-3	5.12	This section summarizes the PI soil management activities conducted during the construction of Pa Honua III. Please provide a copy of the source documentation for this summary.
3.	10-1	10	Please provide copies of the July 2007 EBS and the July 2007 FOS.

HDOH Review: 30 September 2009
Phase II Environmental Site Assessment, Pa Honua 3 Marine Corps Base Hawaii Family Housing Area (Parsons, 10/1/2007)

Reviewer: Eric Sadoyama

Item	Page	Section	Comment
1.	8	4.0	Only 20 increments were taken per multi-increment sample, less than the 30-50 recommended. Were replicate samples taken to evaluate the heterogeneity of the data? What was the variance of the data set?
2.	8	4.0	Since the 0.5'-depth and 1.5'-depth increments for each location were combined separately, each of the ten 10-building areas was represented by two decision units, not one: the 0.5'-depth layer, and the 1.5'-depth layer. Therefore a total of 20 decision units were sampled, not 10 as stated.
3.	8	4.0	This section cites "procedures in the MIS Field Guide used during the previous Increment 1 PPV project (PSI, 2006)". Please provide a copy of this document.
4.	11	6.0	Having no exceedances of OMC Tier2 EALs would indicate that surface soil is suitable for OMC residential use; however, since these EALs are based on a 10^{-5} cancer risk, they are unsuitable for settings outside the OMC project area when assessing pesticides whose Tier 1 EALs are based on a 10^{-6} cancer risk. Any soils removed from the OMC project area should be evaluated using HDOH Category A-1 Tier 1 EALs, not OMC Tier 2 EALs, in order to determine the suitability of soil reuse in the broadest range of potential exposure settings.
5.	--	--	The Phase II ESA is an incomplete copy. Based on its table of contents, it is missing: Section 8 (References); the EP signature page; all Figures and Tables; and Attachment 1 (laboratory data). Please provide a complete copy.